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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

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OFFICE OF THE SECRETARY

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IN REPLY REFER TO:
7330-7/1700A3

Honorable Tom Daschle
United States Senate
Washington, D.C. 20510

Dear Senator Daschle:

This is in reply to your letter of January 6, 1993, in which you inquired on behalf of your constituent, Mr. W. Kenneth Lee, regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

Those rules have been in place for over 20 years. While they have been amended on numerous occasions since that time, they nonetheless embody regulatory concepts based on yesteryear's technology and, unless changed, will stifle the growth and development of private land mobile radio technology and services, which are used primarily by local governments, public safety entities, and businesses to enhance their productivity. The Commission issued the Notice, therefore, to solicit comment from all interested persons on a wide variety of proposals designed to increase channel capacity, to promote more efficient use of these channels, and to simplify the rules governing use of these channels.

The proposals in the Notice reflect to a large extent concepts and proposals submitted in the initial inquiry stages of this proceeding. None of the proposals set forth in the Notice, however, are engraved in stone. Indeed, the proposals represent our best judgment at this stage of the proceeding on steps that must be taken to improve the regulatory climate for users of the private land mobile radio spectrum below 512 MHz. To this end, some of the critical issues that must be resolved relate to channel spacing, the amount of time provided to users to convert to new technical standards, how the 300 to 500 percent increase in channel capacity should be licensed, how the rules should be written to provide users technical flexibility, and whether the current nineteen radio services should be consolidated and, if so, how. I have enclosed for your information a copy of that part of the Notice that describes the numerous proposals.

We are, of course, sensitive to the concerns of users of private land mobile radio spectrum and the impact that these proposals may have on their radio systems, including the costs of required modifications.

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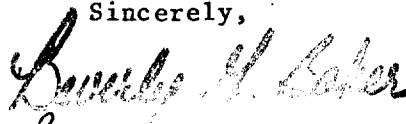
Honorable Tom Daschle

2.

We will, therefore, take into careful consideration all their comments. Your constituent's concerns will be fully evaluated when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest in this proceeding. Comments on the proposals set forth in the Notice are due February 26, 1993, and Reply Comments are due April 14, 1993. We expect final rules to be issued near the end of 1993. We urge your constituent to file formal comments on all aspects of the proposals.

Sincerely,



Ralph A. Haller
Chief, Private Radio Bureau

Enclosure

cc:

CNTL NO - 930 0095

Chief, PRBureau
Chief, LM&M Divison
Deputy Chief, LM&M Division
Lou Sizemore, Room 857
Docket Files, Room 222
Licensing Div., PRB, c/o Room 5202
P&P Branch Files

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Congressional

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CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM
01/11/93

LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE	DATE DUE OLA(857)
9300095	01/11/93	01/06/93	01/22/93	

TITLE	MEMBERS NAME	REPLY FOR SIG OF
Senator	Thomas Daschle	BC

CONSTITUENT'S NAME	SUBJECT
W Kenneth Lee	inquiry/question on PRB rules

REF TO	REF TO	REF TO	REF TO
PRB		JWP	

DATE	DATE	DATE	DATE
01/11/93		1/12	

REMARKS:

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THOMAS DASCHLE
SOUTH DAKOTA

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United States Senate

WASHINGTON, DC 20510-4103

January 6, 1993

PRB
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810 SOUTH MINNESOTA AVENUE
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TDD (605) 334-4632

The Honorable Alfred C. Sikes
Chairman
Federal Communications Commission
1919 M Street
Washington, DC 20554

Dear Mr. Sikes:

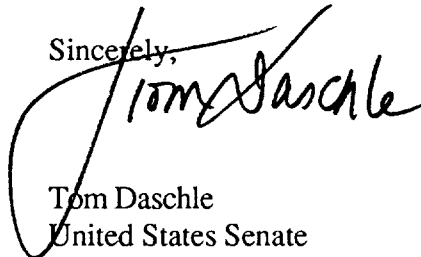
Please find enclosed a letter from W. Kenneth Lee, Black Hills Timber Manager in the City of Spearfish in my state of South Dakota. He has voiced several concerns relating to part 90 and the proposed part 99 of the Federal Communications Commission's Rules and Regulations.

As Mr. Lee describes, the use of two-way radios is an integral part of the work done by his organization. He feels that the current Rules regarding these radios are satisfactory, and any rewriting of the document would cause unnecessary upheaval for his organization.

I would appreciate any response to the concerns raised and points made in Mr. Lee's letter. Thank you in advance for your time and attention to this matter.

With best wishes, I am

Sincerely,


Tom Daschle
United States Senate

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TAD/pam

Enclosure



POPE & TALBOT, INC.

December 2, 1992

DEC-7 PM 9:25

The Honorable Senator Tom Daschle
133 Hart Building
Washington, D. C. 20510

RE: FCC Docket 92-235

Dear Senator Daschle:

The FCC has proposed to scrap the current part 90 of Rules and Regulations, and re-create a new set of elaborate Rules, Part 99. There's nothing dynamically wrong with the current Rules. Considering the timing and urgency of rule writing one might expect they have too much time on their hands or too many bodies at the FCC. Just maybe, the FCC feels a need to impress the new administration.

I would like you and your staff to look into this matter for us. The few leaks coming out of the FCC itself tell us to:

1. Decrease the occupied bandwidth by January 1, 1996. This means you will have to have each radio you use re-adjusted by your service shop at a cost of up to \$100 per radio.
2. Require you to meet new power vs. antenna height requirements by January 1, 1996. In other words, the higher your antenna, the lower your power. A repeater on a hill or mountain top could be reduced to as little as 5 watts.
3. Eliminate adjacent channel station protection criteria. New stations could be placed on your adjacent channel within just a few feet of your station...and through the creation of a new channelization plan, the new channels will be created out of the spectrum that you currently use.
4. Vertically load channels to a set maximum capacity. If you have a small system, your frequency could be loaded up with new users to a specific minimum standard first, before any more new users are assigned different frequencies in your area.
5. Consolidate the Private Land Mobile Radio Services. The Forest Products Radio Service would be disbanded and you would have to compete with all other users for channel assignments since there would be no frequencies specifically allocated for your use. We use a great frequency coordinating group and these special interest areas are needed. Have one of your aides call Forest Industries Telecommunication at 503-485-8441, for help in this matter.

Page 2
December 2, 1992

It has taken us years to develop our radio system and now FCC wants to degrade our communication links throughout the United States. Please help us fight the Rule writers. Our radios help us to coordinate our field work and aids in our fight against forest fires. They help us to rush assistance to accident victims, injured workers, and work with Civil Defense Units. Our radios save time, excessive travel, and therefore, saves fuel, tire wear and act as a service in our community to help locate lost hunters or get emergency messages out to remote areas.

Thanks for assisting us to keep our two-way radios working.

Sincerely,

A handwritten signature in black ink, appearing to read "Ken", is written over the typed name.

W. Kenneth Lee
Black Hills Timber Manager

WKL/sb